

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA  
AT BECKLEY

MICHAEL D. ROSE and EDWARD L. HARMON,  
on their own behalf and on the behalf of all  
others similarly situated,

PLAINTIFFS,

v.

Civil Action No.: 5:22-cv-00405  
Honorable Frank W. Volk

BESTY JIVIDEN, individually and in her  
official capacity as the Commissioner of  
The West Virginia Division of Corrections and  
Rehabilitation, MICHAEL FRANCIS, individually  
as an employee of the West Virginia Division of  
Corrections and Rehabilitation, LARRY WARDEN,  
individually as an employee of the West  
Virginia Division of Corrections and Rehabilitation,  
BRAD DOUGLAS, individually and in his official  
capacity as the acting Commissioner of the  
West Virginia Division of Corrections and  
Rehabilitation, JEFF S. SANDY, individually and in his  
official capacity as the Cabinet Secretary of the  
West Virginia Department of Homeland Security,  
The RALEIGH COUNTY COMMISSION,  
JOHN/JANE DOE EMPLOYEES OF THE RALEIGH  
COUNTY COMMISSION, The FAYETTE COUNTY COMMISSION,  
JOHN/JANE DOE EMPLOYEES OF THE FAYETTE  
COUNTY COMMISSION, The GREENBRIER COUNTY  
COMMISSION, JOHN/JANE DOE EMPLOYEES OF  
THE GREENBRIER COUNTY COMMISSION, JOHN/JANE DOE  
EMPLOYEES OF THE GREENBRIER COUNTY COMMISSION,  
The MERCER COUNTY COMMISSION, JOHN/JANE DOE  
EMPLOYEES OF THE MERCER COUNTY COMMISSION,  
The MONROE COUNTY COMMISSION, JOHN/JANE DOE  
EMPLOYEES OF THE MONROE COUNTY COMMISSION,  
The SUMMERS COUNTY COMMISSION, JOHN/JANE DOE  
EMPLOYEES OF THE SUMMERS COUNTY COMMISSION,  
The WYOMING COUNTY COMMISSION, JOHN/JANE DOE  
EMPLOYEES OF THE WYOMING COUNTY COMMISSION,  
PRIMECARE MEDICAL OF WEST VIRGINIA, INC.,  
JOHN/JANE DOE PRIMECARE EMPLOYEES,  
WEXFORD HEALTH SOURCES, INC., JOHN/JANE DOE  
WEXFORD EMPLOYEES, and JOHN/JANE DOE  
CORRECTIONAL OFFICERS,

DEFENDANTS.

**DEFENDANT PRIMECARE MEDICAL OF WEST VIRGINIA, INC.'S,  
SUGGESTION OF BANKRUPTCY**

Comes Now Defendant, PrimeCare Medical of West Virginia, Inc., by counsel, D.C. Offutt, Jr., Anne Liles O'Hare, and the law firm of Offutt Simmons Simonton, PLLC, and hereby suggests that on January 17, 2024 it filed its voluntary petition under Chapter 7 of the United States Bankruptcy Code (11 U.S.C. § 101, *et seq.*) which is pending in the United States Bankruptcy Court for the Southern District of West Virginia as Case No.: 6:24-bk-60001. Pursuant to Bankruptcy Code § 362, all further proceedings in this matter are stayed, upon penalty of contempt of Bankruptcy Court's Order for Relief in the PrimeCare Medical of West Virginia, Inc. bankruptcy case. A Notice of Bankruptcy Case Filing is attached hereto as *Exhibit A*.

**RESPECTFULLY SUBMITTED,**

**PRIMECARE MEDICAL OF  
WEST VIRGINIA, INC.**

**By Counsel,**

*/s/ Anne Liles O'Hare*

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PRIMECARE MEDICAL OF WEST VIRGINIA, INC.,  
JOHN/JANE DOE PRIMECARE EMPLOYEES,  
WEXFORD HEALTH SOURCES, INC., JOHN/JANE DOE  
WEXFORD EMPLOYEES, and JOHN/JANE DOE  
CORRECTIONAL OFFICERS,

DEFENDANTS.

**CERTIFICATE OF SERVICE**

The undersigned counsel for Defendant, PrimeCare Medical of West Virginia, Inc., do hereby certify that a true and correct copy of the foregoing ***“Defendant PrimeCare Medical of West Virginia, Inc.’s, Suggestion of Bankruptcy”*** has been served upon the following via U.S. Mail and/or email this the 18<sup>th</sup> day of January, 2024 addressed as follows:

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Beckley, WV 25801  
*Counsel for Plaintiff*

/s/ Anne Liles O'Hare

Anne Liles O'Hare, Esquire (WV Bar No. 9171)

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1/17/24, 4:28 PM

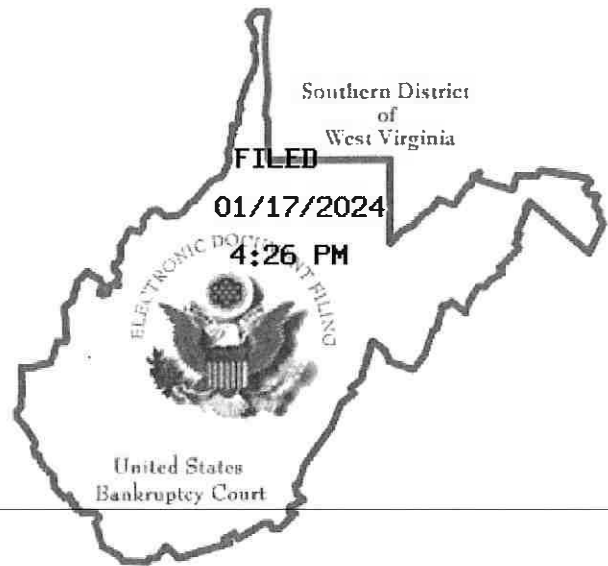
Southern West Virginia Live Database

United States Bankruptcy Court  
Southern District of West Virginia

## Notice of Bankruptcy Case Filing

A bankruptcy case concerning the debtor(s) listed below was filed under Chapter 7 of the United States Bankruptcy Code, entered on 01/17/2024 at 4:26 PM and filed on 01/17/2024.

**PrimeCare Medical of West Virginia, Inc.**  
907 Mission Drive  
Parkersburg, WV 26101  
Tax ID / EIN: 25-1816888



The case was filed by the debtor's attorney:

**Joe M. Supple**  
801 Viand Street  
Point Pleasant, WV 25550  
(304) 675-6249

The case was assigned case number 6:24-bk-60001.

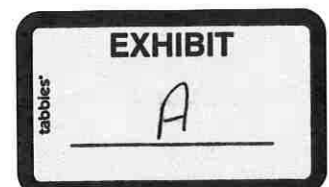
In most instances, the filing of the bankruptcy case automatically stays certain collection and other actions against the debtor and the debtor's property. Under certain circumstances, the stay may be limited to 30 days or not exist at all, although the debtor can request the court to extend or impose a stay. If you attempt to collect a debt or take other action in violation of the Bankruptcy Code, you may be penalized. Consult a lawyer to determine your rights in this case.

If you would like to view the bankruptcy petition and other documents filed by the debtor, they are available at our *Internet* home page <http://www.wvsb.uscourts.gov> or at the Clerk's Office, Room 3200, 300 Virginia Street East, Charleston, WV 25301.

You may be a creditor of the debtor. If so, you will receive an additional notice from the court setting forth important deadlines.

**Lesley Hoops**  
**Clerk, U.S. Bankruptcy Court**

<b>PACER Service Center</b>			
<b>Transaction Receipt</b>			
01/17/2024 16:28:35			
<b>PACER Login:</b>	supplelawoffice	<b>Client Code:</b>	



1/17/24, 4:28 PM

Southern West Virginia Live Database

<b>Description:</b>	Notice of Filing	<b>Search Criteria:</b>	6:24-bk-60001
<b>Billable Pages:</b>	1	<b>Cost:</b>	0.10